THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.26321 of 1998

ORAL ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the first respondent in promoting respondents 4 to 6 vide impugned proceedings dated 29.8.1998 without preparing the seniority list as envisaged under Rules 33 to 36 of A.P. State and Subordinate Service Rules read with G.O.Ms.No.25 dated 4.5.1993 as arbitrary and illegal.

It appears, petitioner joined as Junior Assistant with effect from 1.9.1981 on daily wage basis and subsequently, her services were regularized along with respondents 4 to 6 vide order dated 1.12.1984. Subsequently, vide proceedings dated 14.7.1993 she was promoted as Senior Assistant with effect from 1.3.1990. According to the petitioner, there are no adverse remarks whatsoever against her and while that being so, under the impugned order, the respondents 4 to 6 were promoted as Office Superintendents ignoring her seniority, which is contrary to Rules 33 to 36 of A.P. State and Subordinate Service Rules. No seniority list was prepared and without there being any seniority list, promotion of respondents 4 to 6 under the impugned proceedings is arbitrary and illegal.

A detailed counter affidavit is filed by the first respondent denying the allegations made by the petitioner stating that the petitioner is junior to respondents 4 to 6 and since she does not possess the requisite Degree qualification, her case was not considered for promotion to the post of Office Superintendent. Now it is stated that the petitioner had already been promoted as Office Superintendent with effect from 1.5.2007.

The petitioner did not file any reply to the counter. In view of the averments made in the counter, I am of the view that the petitioner has not made out any case for granting relief as prayed for in this writ petition. The writ petition is devoid of merits and liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

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C.V.RAMULU,
J

Date: 26.9.2007

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.26321 of 1998

26.9.2007

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.26321 of 1998

Date: 26th September, 2007

Between:

Smt.Ch.B.Mary Manjula

.. Petitioner

And

The Vice Chairman/Managing Director,

Sports Authority of Andhra Pradesh,
L.B. Stadium, Hyderabad & others.

.. Respondents